



## DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

As the below named inventor(s), I/we declare that:

This declaration is directed to:

The attached application, or  
 Application No. 09/910,432 filed on July 20, 2001  
 as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

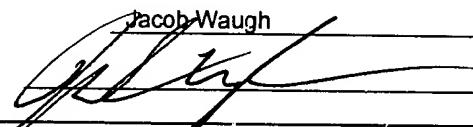
I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

### FULL NAME OF INVENTOR(S)

Inventor 1 Jacob Waugh Date: 10-16-01

Signature:  Citizen of: United States

Inventor 2 Michael Dake Date: Oct. 16, 2001

Signature:  Citizen of: United States

Inventor 3 \_\_\_\_\_ Date: \_\_\_\_\_

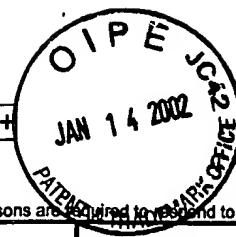
Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Inventor 4 \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Additional inventors are being named on form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.  
SF 1156678 v1

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PTO/SB/81 (02-01)

Approved for use through 10/31/2002, OMB 0651-0035  
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POWER OF ATTORNEY OR  
AUTHORIZATION OF AGENT

Application Number	09/910,432
Filing Date	07/20/01
First Named Inventor	Jacob Waugh
Title	MULTI-COMPONENT BIOLOGICAL TRANSPORT SYSTEMS
Group Art Unit	1632
Examiner Name	
Attorney Docket Number	020154-000110

I hereby appoint:

 Practitioners at Customer Number  
OR

20350

Place Customer  
Number Bar Code  
Label here Practitioner(s) named below:

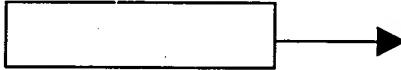
Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

 The above-mentioned Customer Number.

OR

 Practitioners at Customer Number Firm or  
Individual Name

Address

Address

City

State

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Country

Telephone

Fax

I am the:

 Applicant/Inventor. Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name

J. Daniel Bogue

Signature

J. Daniel Bogue

Date

10/16/01

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

 \*Total of 1 form is submitted.

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SF 1156748 v1

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Attorney Docket No.: 020154-000110US

## ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Jacob Waugh of 395 Vallejo Drive, #46, Millbrae, CA 94030; Michael Dake of 665 Gerona Road, Stanford, CA 94305; hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: MULTI-COMPONENT BIOLOGICAL TRANSPORT SYSTEMS

Date(s) of execution of Declaration: 10/16/01 and 10/16/01

Filing Date: July 20, 2001

Application No.: 09/910,432

WHEREAS, Essentia Biosystems, Inc., located at 656 Hale Street, Palo Alto, CA, 94301, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignors hereby authorize and request Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8<sup>th</sup> Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

NOT FOR RECORDATION

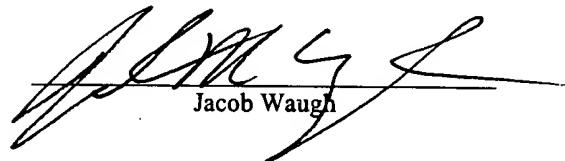
Assignment

Attorney Docket No.: 020154-000110US

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IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

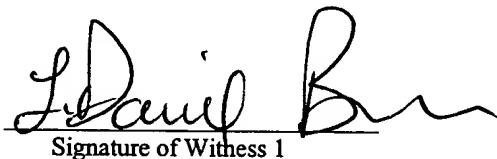
Dated: 10-16-2001



Jacob Waugh

SIGNATURE WITNESSED BY:

(1) Date: 10/16/01



Signature of Witness 1

(2) Date: 10-16-01



Signature of Witness 2

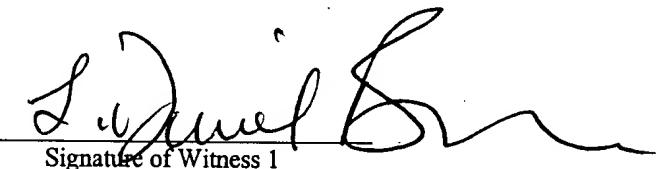
Dated: Oct 16, 01



Michael D. Dake

SIGNATURE WITNESSED BY:

(1) Date: Oct 16, 2001



Signature of Witness 1

(2) Date: 10-16-01



Signature of Witness 2